

Members of House Local Government,

My business partner, Jim Wilson, recommended that I contact you concerning a dilemma I face with property in Montana that was built under the Montana Rural Improvement District program (RID).

In 1977, the Lindbergh Lake Homeowners Association (LLHOA) worked with Missoula County and created RID 282 in the amount of \$40,000 for the sole purpose "construction of a bridge crossing the Swan River". This was done for several reasons such as County guidance for the project, but the main reason was to use the Counties ability to assess properties and force everyone to pay their share. (**Attach 1**)

The agreement (gentlemen's agreement) was that the LLHOA would pay for the bridge over a five year period, at which time the County would either sell for \$1 or transfer back to the LLHOA ownership of the bridge. For whatever reasons, this did not occur. (**Attach 2**)

In 1992 the County wrote the LLHOA that the bridge was their responsibility to maintain and the County did not have an interest in the bridge. In 1993 the County changed their mind. (**Attach 3**)

Fast forward to today. The bridge is thirty seven years old and needs maintenance such as guardrails and deck surface. None of which has been addressed by the County. The LLHOA, for the most part would be willing to assume this responsibility, but only if there is a clear understanding on the ownership issue. We feel that with proper care, the bridge could last another 20-30 years and want that to occur.

Which brings me to why I am writing you. I have been in discussion with the County for several years, they would like to transfer the bridge to the LLHOA, but feel they do not have a legal method to do so other than the property abandonment process. This would require 100% of affected property owners to agree, this is not possible. The County is also leery of being sued if they were to proceed in any other way.

In discussing with other LLHOA members and attorneys, the best method is to allow the property owners to petition the County under the RID statutes to transfer the property to the RID district members. This district was created by a 60% petition and by allowing this % to petition the County, I feel we can accomplish this. We would also accept all expense and liability for the bridge going forward.

I have attached proposed language changes (**Attach 4** - highlighted) to the RID statutes. Other than my situation, it could be advantageous for other RID improvements. Private owners willing to accept responsibility to maintain and improve while relieving government of the time and expense burden of monitoring these districts.

I appreciate your very busy schedule and would certainly understand if you are unable to assist me. Any suggestions or guidance would be most helpful. Please let me know what questions or suggestions you may have.

Best Regards,

Bill Junkermier